

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Mondaire Jones, Alessandra Biaggi, Chris Burdick, Stephanie Keegan, Seth Rosen, Shannon Spencer, Kathy Rothschild, Diana M. Woody, Perry Sainati, Robert Golub, Mary Winton Green, Marsie Wallach, Matthew Wallach, Mac Wallach, Carol Sussman, and Rebecca Rieckhoff,
individually, and on behalf of all others similarly situated,

Plaintiffs,

No 20 Civ. 6516 (VM)

v.

United States Postal Service, Louis DeJoy, as Postmaster General of the United States Postal Service, and Donald J. Trump, as President of the United States,

Defendants.

DECLARATION OF JOHN PROKITY

I, John Prokity, under penalty of perjury and in lieu of affidavit as permitted by 28 U.S.C. § 1746, hereby declare as follows:

1. I am currently employed by the United States Postal Service as Manager, Workforce Planning, Insights & Analytics at Postal Service Headquarters in Washington, D.C. I have occupied this position for approximately one year. In this role, I am responsible for monitoring both career and non-career employee complements in regard to established staffing models, including compliance with national labor contracts. In addition, I provide analysis of factors affecting available staffing. I have worked for the Postal Service for approximately 29 years. Prior to this assignment, I served in several operational capacities, including: HQ Manager of Network Distribution Center Operations, Area In-Plant Support Manager, and District Senior Plant Manager.
2. I am familiar with the above-referenced action and plaintiffs' claims therein.
3. This declaration is based on my personal knowledge, as well as information conveyed to me by other knowledgeable Postal Service personnel in the course of my official duties and responsibilities.

USPS staffing shortages due to the COVID-19 pandemic, and the Postal Service's response to alleviate the impact on mail delivery services

4. Postal Service operations rely on a workforce of over 600,000 employees, including but not limited to letter carriers, who deliver the mail, mail handlers, who sort and pack mail for delivery, and clerks, who perform mail processing or retail duties. The COVID-19 pandemic led to significant

staffing shortages beginning in March 2020 due to illness, quarantine, and leave associated with the Families First Coronavirus Response Act.

5. For example, prior to the pandemic, the Postal Service experienced a weekly equivalent of 55,000 employees using full-day leave, on average. In early March, this figure began to increase steadily until reaching, in mid-April, a peak of more than 81,000, or nearly 26,000 additional employees absent from work on a weekly basis. The average weekly full-day leave usage leveled to approximately 69,000, or 13,000 additional weekly absences, in May 2020. After another improvement in June, the availability for July again began to decrease, with availability falling to its lowest levels in the week of July 11, 2020, due primarily to a combination of localized COVID impacts in hot-spot areas, as discussed further below, and increased usage of annual leave.
6. These staffing shortages led to some difficulties in the Postal Service's ability to process and deliver mail on time during the ongoing pandemic. The Postal Service has therefore worked diligently to bring on additional workers quickly and to ensure that it has the workforce necessary to process and deliver mail on time.¹
7. For instance, to support hiring during the pandemic, the Postal Service implemented key changes to the hiring process to significantly shorten

¹ On August 7, 2020, the Postal Service implemented a hiring freeze for management level positions, which currently remains in place. This hiring freeze has no effect on the hiring of non-management employees, including mail carriers, mail handlers and clerks, in response to COVID-19 impacts.






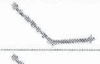









overall time-to-hire, meaning the time that passes between an initial job posting and actually hiring a new employee. The posting period time, meaning the number of days that a job opening is posted, was modified from five to three days, and due to service-wide drug screening clinic closures, programming was developed and implemented to temporarily bypass drug screening. In addition, the National Agency Check with Inquiries (NACI) integration deployment on March 27, 2020, allowed us to receive expedited information on fingerprint checks from the Postal Inspection Service for criminal background clearance to hire. These changes allowed us to shorten our hiring process by approximately 15 to 21 days.

8. The Postal Service also reached agreement with the postal workers' unions to allow the hiring of additional non-career employees above the historical contractual non-career employee limits.
9. The shortened time for hiring and use of additional non-career employees has allowed the Postal Service to address the leave issues associated with COVID-19. Nationwide, the Postal Service hired additional staffing at a rate of approximately 2000 to 3000 persons each week, with a total of 88,627 new employees hired between March 1, 2020, and August 21, 2020.

USPS staffing shortages in COVID-19 pandemic "Hot Spots" in July 2020

10. Although overall staffing availability numbers improved between May and June 2020, the availability began to fall again in July 2020, with certain "hot spots" showing a July spike in COVID-19 cases. As the chart below

illustrates, areas with reported increases in COVID-19 cases, such as Miami, Philadelphia, North Houston, Atlanta and North Texas (among others) saw a dip in staffing availability rates in July 2020. The figures in the below chart represent the percentage of the normal employee workforce that was available to work in the referenced locality during that time frame.²

Facility	June	July	August-8/21	
NORTH METRO P&DC	77.51%	73.11%	77.53%	
ATLANTA	77.34%	73.77%	76.59%	
NORTH HOUSTON	77.10%	74.09%	76.76%	
CLEVELAND	68.42%	64.70%	66.91%	
AIRPORT MAIL CENTER (Atlanta)	75.95%	72.83%	75.85%	
PHILADELPHIA	76.28%	72.43%	72.81%	
PHILADELPHIA NDC	75.26%	70.83%	70.26%	
SACRAMENTO P&DC	80.19%	76.24%	77.86%	
PALATINE	73.69%	71.42%	74.51%	
ROYAL PALM	78.80%	75.20%	77.12%	
FRESNO	71.54%	68.87%	73.76%	
MIAMI	80.95%	75.96%	75.83%	
NORTH TEXAS	75.51%	73.13%	74.50%	
LITHONIA POST OFFICE	77.31%	59.03%	78.68%	

These localized staffing shortages resulted in additional service disruptions in July. Staffing availability in some of these localities has steadily improved as additional employees have been hired, and others have returned to work following illness or quarantine. The Greater Philadelphia area, however (as

² To provide some context as to the significance of this reduction, nationally, for the month of June 2020, a 1% change in overall availability was equal to over 850,000 work hours.

an example of one of the hardest hit hot spots), has continued to experience staffing shortage issues as of August 21, 2020, as discussed further below.

USPS staffing shortages in Philadelphia due to the COVID-19 pandemic

11. Philadelphia is one of the “hot-spot” areas that has been hard hit by the pandemic. It had periods in which insufficient staff was available to deliver mail every day, although local management took steps to ensure that routes would not go over two days without delivery. For example, during the period from June 27, 2020, to July 18, 2020, the availability of employees in the Greater Philadelphia area was 75.56 percent. To put this in context, approximately one in four employees were unavailable during this period. Availability numbers continued to decrease for the period from July 11, 2020, through August 21, 2020.

12. The following is employee availability data for the City of Philadelphia, broken down by craft, in three date ranges:

Craft	3/1 - 4/3	4/4 - 7/10	7/11 - 8/21
Clerk	78.48%	74.66%	73.31%
Carrier	76.85%	73.31%	70.29%
Mail Handler	73.08%	69.26%	68.20%

13. In order to address these staffing shortages, the Postal Service has hired approximately 1,141 new employees for the Philadelphia Metropolitan PFC since March 1, 2020.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed at Charleston, West Virginia on this 5TH day of September, 2020


JOHN PROKITY